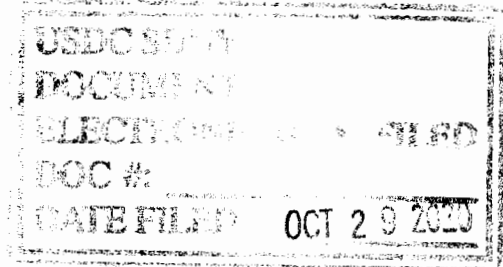


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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IN RE: FRED H. SIEMON

MEMORANDUM DECISION
AND ORDER

20 Civ. 7508 (GBD)

GEORGE B. DANIELS, United States District Judge:

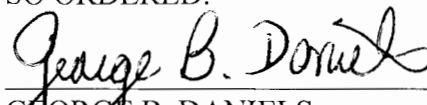
Debtor-Appellant, Siemon, has filed a motion seeking appointment of *pro bono* counsel. The factors to be considered in ruling on an indigent litigant's request for counsel include the merits of the case, the party's efforts to obtain a lawyer, and the ability of the party to gather the facts and present the case if unassisted by counsel. *See Cooper v. A. Sargenti Co.*, 877 F.2d 170, 172 (2d Cir. 1989); *Hodge v. Police Officers*, 802 F.2d 58, 60-62 (2d Cir. 1986). Of these, the merits are "[t]he factor which command[s] the most attention." *Cooper*, 877 F.2d at 172. Indeed, before receiving appointed counsel, indigent civil litigants must "first pass the test of likely merit." *Id.* at 173. After review of Siemon's initial filing (Appeal from an ORDER from the Bankruptcy Court, SDNY, at ECF No. 9) he has failed to satisfy that requirement. Accordingly, his application for the appointment of *pro bono* counsel is DENIED.

Siemon is reminded that he may seek assistance from the New York Legal Assistance Group. Additional information can be found online at nylag.org; by calling 212-613-5000; or by emailing info@nylag.org. In addition, the United States District Court for the Southern District of New York has a Pro Se Intake Unit with information to assist individuals who are representing themselves in the Southern District without the assistance of an attorney. Additional information can be found

online at nysd.uscourts.gov/prose; by calling at 212-805-0175; or emailing Temporary_Pro_Se_Filing@nysd.uscourts.gov.

Dated: New York, New York
October 29, 2020

SO ORDERED.



GEORGE B. DANIELS
United States District Judge